

# **EXHIBIT D(1)**



# Lyft Privacy Policy

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*Last Updated: September 14, 2020*

At Lyft our mission is to improve people's lives with the world's best transportation, providing a platform to help you get from point A to point B. To do that, we need to collect, use, and share some of your personal information. This Privacy Policy is meant to help you understand how Lyft does that and how to exercise the choices and rights you have in your information.

Lyft's [privacy homepage](#) provides additional information about our commitment to respecting your personal information, including ways for you to access and delete that information.

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This policy applies to all Lyft users, including Riders and Drivers (including Driver applicants), and to all Lyft platforms and services, including our apps, websites, features, and other services (collectively, the “Lyft Platform”). Please remember that your use of the Lyft Platform is also subject to our [Terms of Service](#).

## 2. The Information We Collect

When you use the Lyft Platform, we collect the information you provide, usage information, and information about your device. We also collect information about you from other sources like third party services, and optional programs in which you participate, which we may combine with other information we have about you. Here are the types of information we collect about you:

### A. Information You Provide to Us

**Account Registration.** When you create an account with Lyft, we collect the information you provide us, such as your name, email address, phone number, birth date, and payment information. You may choose to share additional info with us for your Rider profile, like your photo or saved addresses (e.g., home or work), and set up other preferences (such as your preferred pronouns).

**Driver Information.** If you apply to be a Driver, we will collect the information you provide in your application, including your name, email address, phone number, birth date, profile photo, physical address, government identification number (such as social security number), driver’s license information, vehicle information, and car insurance information. We collect the payment information you provide us, including your bank routing numbers, and tax information. Depending on where you want to drive, we may also ask for additional business license or permit information. We may need additional information from you at some point after you become a Driver, including information to confirm your identity (like a photo).

**Ratings and Feedback.** When you rate and provide feedback about Riders or Drivers, we collect all of the information you provide in your feedback.

**Communications.** When you contact us or we contact you, we collect any information that you provide, including the contents of the messages or attachments you send us.

### B. Information We Collect When You Use the Lyft Platform



- **Riders:** We collect your device's precise location when you open and use the Lyft app, including while the app is running in the background from the time you request a ride until it ends. Lyft also tracks the precise location of scooters and e-bikes at all times.
- **Drivers:** We collect your device's precise location when you open and use the app, including while the app is running in the background when it is in driver mode. We also collect precise location for a limited time after you exit driver mode in order to detect ride incidents, and continue collecting it until a reported or detected incident is no longer active.

**Usage Information.** We collect information about your use of the Lyft Platform, including ride information like the date, time, destination, distance, route, payment, and whether you used a promotional or referral code. We also collect information about your interactions with the Lyft Platform like our apps and websites, including the pages and content you view and the dates and times of your use.

**Device Information.** We collect information about the devices you use to access the Lyft Platform, including device model, IP address, type of browser, version of operating system, identity of carrier and manufacturer, radio type (such as 4G), preferences and settings (such as preferred language), application installations, device identifiers, advertising identifiers, and push notification tokens. If you are a Driver, we also collect mobile sensor data from your device (such as speed, direction, height, acceleration, deceleration, and other technical data).

**Communications Between Riders and Drivers.** We work with a third party to facilitate phone calls and text messages between Riders and Drivers without sharing either party's actual phone number with the other. But while we use a third party to provide the communication service, we collect information about these communications, including the participants' phone numbers, the date and time, and the contents of SMS messages. For security purposes, we may also monitor or record the contents of phone calls made through the Lyft Platform, but we will always let you know we are about to do so before the call begins.

**Address Book Contacts.** You may set your device permissions to grant Lyft access to your contact lists and direct Lyft to access your contact list, for example to help you refer friends to Lyft. If you do this, we will access and store the names and contact information of the people in your address book.

**Cookies, Analytics, and Third Party Technologies.** We collect information through the use of "cookies", tracking pixels, data analytics tools like [Google Analytics](#), SDKs, and other third party technologies to understand how you navigate through the Lyft Platform and interact with Lyft advertisements, to make your Lyft experience safer, to learn what content is popular, to improve your site experience, to serve you better ads on other sites, and to save your preferences. Cookies are



remains after you close your browser and may be accessed every time you use the Lyft Platform. You should consult your web browser(s) to modify your cookie settings. Please note that if you delete or choose not to accept cookies from us, you may miss out on certain features of the Lyft Platform.

## C. Information We Collect from Third Parties

**Third Party Services.** Third party services provide us with information needed for core aspects of the Lyft Platform, as well as for additional services, programs, loyalty benefits, and promotions that can enhance your Lyft experience. These third party services include background check providers, insurance partners, financial service providers, marketing providers, and other businesses. We obtain the following information about you from these third party services:

- Information to make the Lyft Platform safer, like background check information for drivers;
- Information about your participation in third party programs that provide things like insurance coverage and financial instruments, such as insurance, payment, transaction, and fraud detection information;
- Information to operationalize loyalty and promotional programs, such as information about your use of such programs; and
- Information about you provided by specific services, such as demographic and market segment information.

**Enterprise Programs.** If you use Lyft through your employer or other organization that participates in one of our Lyft Business enterprise programs, we will collect information about you from those parties, such as your name and contact information.

**Concierge Service.** Sometimes another business or entity may order you a Lyft ride. If an organization has ordered a ride for you using our Concierge service, they will provide us your contact information and the pickup and drop-off location of your ride.

**Referral Programs.** Friends help friends use the Lyft Platform. If someone refers you to Lyft, we will collect information about you from that referral including your name and contact information.

**Other Users and Sources.** Other users or public or third-party sources such as law enforcement, insurers, media, or pedestrians may provide us information about you, for example as part of an investigation into an incident or to provide you support.



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We use your personal information to:

- Provide the Lyft Platform;
- Maintain the security and safety of the Lyft Platform and its users;
- Build and maintain the Lyft community;
- Provide customer support;
- Improve the Lyft Platform; and
- Respond to legal proceedings and obligations.

**Providing the Lyft Platform.** We use your personal information to provide an intuitive, useful, efficient, and worthwhile experience on our platform. To do this, we use your personal information to:

- Verify your identity and maintain your account, settings, and preferences;
- Connect you to your rides and track their progress;
- Calculate prices and process payments;
- Allow Riders and Drivers to connect regarding their ride and to choose to share their location with others;
- Communicate with you about your rides and experience;
- Collect feedback regarding your experience;
- Facilitate additional services and programs with third parties; and
- Operate contests, sweepstakes, and other promotions.

**Maintaining the Security and Safety of the Lyft Platform and its Users.** Providing you a secure and safe experience drives our platform, both on the road and on our apps. To do this, we use your personal information to:

- Authenticate users;
- Verify that Drivers and their vehicles meet safety requirements;
- Investigate and resolve incidents, accidents, and insurance claims;
- Encourage safe driving behavior and avoid unsafe activities;
- Find and prevent fraud; and
- Block and remove unsafe or fraudulent users from the Lyft Platform.

**Building and Maintaining the Lyft Community.** Lyft works to be a positive part of the community. We use your personal information to:

- Communicate with you about events, promotions, elections, and campaigns;
- Personalize and provide content, experiences, communications, and advertising to promote and grow the Lyft Platform; and
- Help facilitate donations you choose to make through the Lyft Platform.



and

- Provide you support or respond to you.

**Improving the Lyft Platform.** We are always working to improve your experience and provide you with new and helpful features. To do this, we use your personal information to:

- Perform research, testing, and analysis;
- Develop new products, features, partnerships, and services;
- Prevent, find, and resolve software or hardware bugs and issues; and
- Monitor and improve our operations and processes, including security practices, algorithms, and other modeling.

**Responding to Legal Proceedings and Requirements.** Sometimes the law, government entities, or other regulatory bodies impose demands and obligations on us with respect to the services we seek to provide. In such a circumstance, we may use your personal information to respond to those demands or obligations.

## 4. How We Share Your Information

We do not sell your personal information. To make the Lyft Platform work, we may need to share your personal information with other users, third parties, and service providers. This section explains when and why we share your information.

### A. Sharing Between Lyft Users

#### Riders and Drivers.

*Rider information shared with Driver:* Upon receiving a ride request, we share with the Driver the Rider's pickup location, name, profile photo, rating, Rider statistics (like approximate number of rides and years as a Rider), and information the Rider includes in their Rider profile (like preferred pronouns). Upon pickup and during the ride, we share with the Driver the Rider's destination and any additional stops the Rider inputs into the Lyft app. Once the ride is finished, we also eventually share the Rider's rating and feedback with the Driver. (We remove the Rider's identity associated with ratings and feedback when we share it with Drivers, but a Driver may be able to identify the Rider that provided the rating or feedback.)



such as information Drivers choose to add (like country flag and why you drive) and Driver statistics (like approximate number of rides and years as a Driver).

Although we help Riders and Drivers communicate with one another to arrange a pickup, we do not share your actual phone number or other contact information with other users. If you report a lost or found item to us, we will seek to connect you with the relevant Rider or Driver, including sharing actual contact information with your consent.

**Shared Ride Riders.** When Riders use a Lyft Shared ride, we share each Rider's name and profile picture to ensure safety. Riders may also see each other's pickup and drop-off locations as part of knowing the route while sharing the ride.

**Rides Requested or Paid For by Others.** Some rides you take may be requested or paid for by others. If you take one of those rides using your Lyft Business Profile account, a code or coupon, a corporate credit card linked to another account, or another user otherwise requests a ride for you, we may share some or all of your ride details with that other party, including the date, time, charge, rating given, region of trip, and pick up and drop off location of your ride.

**Referral Programs.** If you refer someone to the Lyft Platform, we will let them know that you generated the referral. If another user referred you, we may share information about your use of the Lyft Platform with that user. For example, a referral source may receive a bonus when you join the Lyft Platform or complete a certain number of rides and would receive such information.

## B. Sharing With Third-Party Service Providers for Business Purposes

Depending on whether you're a Rider or a Driver, Lyft may share the following categories of your personal information for a business purpose (as we have done for the preceding 12 months) to provide you with a variety of the Lyft Platform's features and services:

- Personal identifiers, such as your name, address, email address, date of birth, government identification number (such as social security number), driver's license information, vehicle information, and car insurance information;
- Financial information, such as bank routing numbers, tax information, and any other payment information you provide us;
- Commercial information, such as ride information, Driver/Rider statistics and feedback, and Driver/Rider transaction history;



- Location data.

We disclose those categories of personal information to service providers to fulfill the following business purposes:

- Maintaining and servicing your Lyft account;
- Processing or fulfilling rides;
- Providing you customer service;
- Processing Rider transactions;
- Processing Driver applications and payments;
- Verifying the identity of users;
- Detecting and preventing fraud;
- Processing insurance claims;
- Providing Driver loyalty and promotional programs;
- Providing marketing and advertising services to Lyft;
- Providing financing;
- Providing requested emergency services;
- Providing analytics services to Lyft; and
- Undertaking internal research to develop the Lyft Platform.

## C. For Legal Reasons and to Protect the Lyft Platform

We may share your personal information in response to a legal obligation, or if we have determined that sharing your personal information is reasonably necessary or appropriate to:

- Comply with any applicable federal, state, or local law or regulation, civil, criminal or regulatory inquiry, investigation or legal process, or enforceable governmental request;
- Respond to legal process (such as a search warrant, subpoena, summons, or court order);
- Enforce our Terms of Service;
- Cooperate with law enforcement agencies concerning conduct or activity that we reasonably and in good faith believe may violate federal, state, or local law; or
- Exercise or defend legal claims, protect against harm to our rights, property, interests, or safety or the rights, property, interests, or safety of you, third-parties, or the public as required or permitted by law.

## D. In Connection with Sale or Merger



## E. Upon Your Further Direction

With your permission or upon your direction, we may disclose your personal information to interact with a third party or for other purposes.

# 5. How We Store and Protect Your Information

We retain your information for as long as necessary to provide you and our other users the Lyft Platform. This means we keep your profile information for as long as you maintain an account. We retain transactional information such as rides and payments for at least seven years to ensure we can perform legitimate business functions, such as accounting for tax obligations. If you request account deletion, we will delete your information as set forth in the “Deleting Your Account” section below.

We take reasonable and appropriate measures designed to protect your personal information. But no security measures can be 100% effective, and we cannot guarantee the security of your information, including against unauthorized intrusions or acts by third parties.

# 6. Your Rights And Choices Regarding Your Data

As explained more below and on our [privacy homepage](#), Lyft provides ways for you to access and delete your personal information as well as exercise other data rights that give you certain control over your personal information.

## A. All Users

**Email Subscriptions.** You can always unsubscribe from our commercial or promotional emails by clicking unsubscribe in those messages. We will still send you transactional and relational emails about your use of the Lyft Platform.

**Text Messages.** You can opt out of receiving commercial or promotional text messages by texting the word END to 46080 from the mobile device receiving the messages. You may also opt out of



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by texting STOP in response to a driver SMS. To re-enable texts you can text START in response to an unsubscribe confirmation SMS.

**Push Notifications.** You can opt out of receiving push notifications through your device settings. Please note that opting out of receiving push notifications may impact your use of the Lyft Platform (such as receiving a notification that your ride has arrived).

**Profile Information.** You can review and edit certain account information you have chosen to add to your profile by logging in to your account settings and profile.

**Location Information.** You can prevent your device from sharing location information through your device's system settings. But if you do, this may impact Lyft's ability to provide you our full range of features and services.

**Cookie Tracking.** You can modify your cookie settings on your browser, but if you delete or choose not to accept our cookies, you may be missing out on certain features of the Lyft Platform.

**Do Not Track.** Your browser may offer you a "Do Not Track" option, which allows you to signal to operators of websites and web applications and services that you do not want them to track your online activities. The Lyft Platform does not currently support Do Not Track requests at this time.

**Deleting Your Account.** If you would like to delete your Lyft account, please visit our [privacy homepage](#). In some cases, we will be unable to delete your account, such as if there is an issue with your account related to trust, safety, or fraud. When we delete your account, we may retain certain information for legitimate business purposes or to comply with legal or regulatory obligations. For example, we may retain your information to resolve open insurance claims, or we may be obligated to retain your information as part of an open legal claim. When we retain such data, we do so in ways designed to prevent its use for other purposes.

## B. California Residents

The California Consumer Privacy Act provides some California residents with the additional rights listed below. To exercise these rights see the "Exercising Your California Privacy Rights" section or visit our [privacy homepage](#).

**Right to Know.** You have the right to know and see what data we have collected about you over the past 12 months, including:

- The categories of personal information we have collected about you;
- The categories of sources from which the personal information is collected;



**Right to Delete.** You have the right to request that we delete the personal information we have collected from you (and direct our service providers to do the same). There are a number of exceptions, however, that include, but are not limited to, when the information is necessary for us or a third party to do any of the following:

- Complete your transaction;
- Provide you a good or service;
- Perform a contract between us and you;
- Protect your security and prosecute those responsible for breaching it;
- Fix our system in the case of a bug;
- Protect the free speech rights of you or other users;
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et seq.);
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interests that adheres to all other applicable ethics and privacy laws;
- Comply with a legal obligation; or
- Make other internal and lawful uses of the information that are compatible with the context in which you provided it.

**Other Rights.** You can request certain information about our disclosure of personal information to third parties for their own direct marketing purposes during the preceding calendar year. This request is free and may be made once a year. You also have the right not to be discriminated against for exercising any of the rights listed above.

**Exercising Your California Privacy Rights.** To request access to or deletion of your personal information, or to exercise any other data rights under California law, please contact us using one of the following methods:

Website: You may visit our [privacy homepage](#) to authenticate and exercise rights via our website.

Email Webform: You may [write to us](#) to exercise rights. Please include your full name, email address, and phone number associated with your use of the Lyft Platform, along with why you are writing, so that we can process your request in an efficient manner.

To respond to some rights we will need to verify your request either by asking you to log in and authenticate your account or otherwise verify your identity by providing information about yourself or your account. Authorized agents can make a request on your behalf if you have given them legal power of attorney or you provide signed permission, verification of your identity, and confirmation that you provided the agent permission to submit the request.



## 7. Children's Data

Lyft is not directed to children, and we don't knowingly collect personal information from children under the age of 13. If we find out that a child under 13 has given us personal information, we will take steps to delete that information. If you believe that a child under the age of 13 has given us personal information, please contact us at our [Help Center](#).

## 8. Links to Third Party Websites

The Lyft Platform may contain links to third-party websites. Those websites may have privacy policies that differ from ours. We are not responsible for those websites, and we recommend that you review their policies. Please contact those websites directly if you have any questions about their privacy policies.

## 9. Changes to This Privacy Policy

We may update this policy from time to time as the Lyft Platform changes and privacy law evolves. If we update it, we will do so online, and if we make material changes, we will let you know through the Lyft Platform or by some other method of communication like email. When you use Lyft, you are agreeing to the most recent terms of this policy.

## 10. Contact Us

If you have any questions or concerns about your privacy or anything in this policy, including if you need to access this policy in an alternative format, we encourage you to [contact us](#).

**DRIVER**





LYFT

**Lyft driver app****Lyft rider app****Ride on web**[Terms](#)    [Privacy](#)    © 2020 Lyft, Inc.    CPUC ID No. TCP0032513-P

# **EXHIBIT D(2)**

# Lyft Privacy Policy

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*Last Updated: September 14, 2020*

At Lyft our mission is to improve people's lives with the world's best transportation, providing a platform to help you get from point A to point B. To do that, we need to collect, use, and share some of your personal information. This Privacy Policy is meant to help you understand how Lyft does that and how to exercise the choices and rights you have in your information.

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## 1. The Scope of This Policy

This policy applies to all Lyft users, including Riders and Drivers (including Driver applicants), and to all Lyft platforms and services, including our apps, websites, features, and other services (collectively, the "Lyft Platform"). Please remember that your use of the Lyft Platform is also subject to our [Terms of Service](#).

## 2. The Information We Collect

When you use the Lyft Platform, we collect the information you provide, usage information, and information about your device. We also collect information about you from other sources like third party services, and optional programs in which you participate, which we may combine with other information we have about you. Here are the types of information we collect about you:

### A. Information You Provide to Us

**Account Registration.** When you create an account with Lyft, we collect the information you provide us, such as your name, email address, phone number, birth date, and payment information. You may choose to share additional info with us for your Rider profile, like your

photo or saved addresses (e.g., home or work), and set up other preferences (such as your preferred pronouns).

**Driver Information.** If you apply to be a Driver, we will collect the information you provide in your application, including your name, email address, phone number, birth date, profile photo, physical address, government identification number (such as social security number), driver's license information, vehicle information, and car insurance information. We collect the payment information you provide us, including your bank routing numbers, and tax information. Depending on where you want to drive, we may also ask for additional business license or permit information. We may need additional information from you at some point after you become a Driver, including information to confirm your identity (like a photo).

**Ratings and Feedback.** When you rate and provide feedback about Riders or Drivers, we collect all of the information you provide in your feedback.

**Communications.** When you contact us or we contact you, we collect any information that you provide, including the contents of the messages or attachments you send us.

## B. Information We Collect When You Use the Lyft Platform

**Location Information.** Great rides start with an easy and accurate pickup. The Lyft Platform collects location information (including GPS and WiFi data) differently depending on your Lyft app settings and device permissions as well as whether you are using the platform as a Rider or Driver:

- **Riders:** We collect your device's precise location when you open and use the Lyft app, including while the app is running in the background from the time you request a ride until it ends. Lyft also tracks the precise location of scooters and e-bikes at all times.
- **Drivers:** We collect your device's precise location when you open and use the app, including while the app is running in the background when it is in driver mode. We also collect precise location for a limited time after you exit driver mode in order to detect ride incidents, and continue collecting it until a reported or detected incident is no longer active.

**Usage Information.** We collect information about your use of the Lyft Platform, including ride information like the date, time, destination, distance, route, payment, and whether you used a promotional or referral code. We also collect information about your interactions with the Lyft Platform like our apps and websites, including the pages and content you view and the dates and times of your use.

**Device Information.** We collect information about the devices you use to access the Lyft Platform, including device model, IP address, type of browser, version of operating system, identity of carrier and manufacturer, radio type (such as 4G), preferences and settings (such as preferred language), application installations, device identifiers, advertising identifiers, and push notification tokens. If you are a Driver, we also collect mobile sensor data from your device (such as speed, direction, height, acceleration, deceleration, and other technical data).

**Communications Between Riders and Drivers.** We work with a third party to facilitate phone calls and text messages between Riders and Drivers without sharing either party's actual phone number with the other. But while we use a third party to provide the communication service, we collect information about these communications, including the participants' phone numbers, the date and time, and the contents of SMS messages. For security purposes, we may also monitor or record the contents of phone calls made through the Lyft Platform, but we will always let you know we are about to do so before the call begins.

**Address Book Contacts.** You may set your device permissions to grant Lyft access to your contact lists and direct Lyft to access your contact list, for example to help you refer friends to Lyft. If you do this, we will access and store the names and contact information of the people in your address book.

**Cookies, Analytics, and Third Party Technologies.** We collect information through the use of "cookies", tracking pixels, data analytics tools like [Google Analytics](#), SDKs, and other third party technologies to understand how you navigate through the Lyft Platform and interact with Lyft advertisements, to make your Lyft experience safer, to learn what content is popular, to improve your site experience, to serve you better ads on other sites, and to save your preferences. Cookies are small text files that web servers place on your device; they are designed to store basic information and to help websites and apps recognize your browser. We may use both session cookies and persistent cookies. A session cookie disappears after you close your browser. A persistent cookie remains after you close your browser and may be accessed every time you use the Lyft Platform. You should consult your web browser(s) to modify your cookie settings. Please note that if you delete or choose not to accept cookies from us, you may miss out on certain features of the Lyft Platform.

## C. Information We Collect from Third Parties

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- Information about your participation in third party programs that provide things like insurance coverage and financial instruments, such as insurance, payment, transaction, and fraud detection information;
- Information to operationalize loyalty and promotional programs, such as information about your use of such programs; and
- Information about you provided by specific services, such as demographic and market segment information.

**Enterprise Programs.** If you use Lyft through your employer or other organization that participates in one of our Lyft Business enterprise programs, we will collect information about you from those parties, such as your name and contact information.

**Concierge Service.** Sometimes another business or entity may order you a Lyft ride. If an organization has ordered a ride for you using our Concierge service, they will provide us your contact information and the pickup and drop-off location of your ride.

**Referral Programs.** Friends help friends use the Lyft Platform. If someone refers you to Lyft, we will collect information about you from that referral including your name and contact information.

**Other Users and Sources.** Other users or public or third-party sources such as law enforcement, insurers, media, or pedestrians may provide us information about you, for example as part of an investigation into an incident or to provide you support.

### 3. How We Use Your Information

We use your personal information to:

- Provide the Lyft Platform;
- Maintain the security and safety of the Lyft Platform and its users;
- Build and maintain the Lyft community;
- Provide customer support;
- Improve the Lyft Platform; and
- Respond to legal proceedings and obligations.

**Providing the Lyft Platform.** We use your personal information to provide an intuitive, useful, efficient, and worthwhile experience on our platform. To do this, we use your personal information to:

- Verify your identity and maintain your account, settings, and preferences;
- Connect you to your rides and track their progress;
- Calculate prices and process payments;
- Allow Riders and Drivers to connect regarding their ride and to choose to share their location with others;
- Communicate with you about your rides and experience;
- Collect feedback regarding your experience;
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- Authenticate users;

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- Communicate with you about events, promotions, elections, and campaigns;
- Personalize and provide content, experiences, communications, and advertising to promote and grow the Lyft Platform; and
- Help facilitate donations you choose to make through the Lyft Platform.

**Providing Customer Support.** We work hard to provide the best experience possible, including supporting you when you need it. To do this, we use your personal information to:

- Investigate and assist you in resolving questions or issues you have regarding the Lyft Platform; and
- Provide you support or respond to you.

**Improving the Lyft Platform.** We are always working to improve your experience and provide you with new and helpful features. To do this, we use your personal information to:

- Perform research, testing, and analysis;
- Develop new products, features, partnerships, and services;
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**Responding to Legal Proceedings and Requirements.** Sometimes the law, government entities, or other regulatory bodies impose demands and obligations on us with respect to the services we seek to provide. In such a circumstance, we may use your personal information to respond to those demands or obligations.

## 4. How We Share Your Information

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### A. Sharing Between Lyft Users

#### Riders and Drivers.

*Rider information shared with Driver:* Upon receiving a ride request, we share with the Driver the Rider's pickup location, name, profile photo, rating, Rider statistics (like approximate number of rides and years as a Rider), and information the Rider includes in their Rider profile (like preferred pronouns). Upon pickup and during the ride, we share with the Driver the Rider's destination and any additional stops the Rider inputs into the Lyft app. Once the ride is finished, we also eventually share the Rider's rating and feedback with the Driver. (We remove the Rider's identity associated with ratings and feedback when we share it with Drivers, but a Driver may be able to identify the Rider that provided the rating or feedback.)

*Driver information shared with Rider:* Upon a Driver accepting a requested ride, we will share with the Rider the Driver's name, profile photo, preferred pronouns, rating, real-time location, and the vehicle make, model, color, and license plate, as well as other information in the Driver's Lyft profile, such as information Drivers choose to add (like country flag and why you drive) and Driver statistics (like approximate number of rides and years as a Driver).

Although we help Riders and Drivers communicate with one another to arrange a pickup, we do not share your actual phone number or other contact information with other users. If you report a lost or found item to us, we will seek to connect you with the relevant Rider or Driver, including sharing actual contact information with your consent.

**Shared Ride Riders.** When Riders use a Lyft Shared ride, we share each Rider's name and profile picture to ensure safety. Riders may also see each other's pickup and drop-off locations as part of knowing the route while sharing the ride.

**Rides Requested or Paid For by Others.** Some rides you take may be requested or paid for by others. If you take one of those rides using your Lyft Business Profile account, a code or coupon, a corporate credit card linked to another account, or another user otherwise requests a ride for you, we may share some or all of your ride details with that other party, including the date, time, charge, rating given, region of trip, and pick up and drop off location of your ride.

**Referral Programs.** If you refer someone to the Lyft Platform, we will let them know that you generated the referral. If another user referred you, we may share information about your use of the Lyft Platform with that user. For example, a referral source may receive a bonus when you join the Lyft Platform or complete a certain number of rides and would receive such information.

## B. Sharing With Third-Party Service Providers for Business Purposes

Depending on whether you're a Rider or a Driver, Lyft may share the following categories of your personal information for a business purpose (as we have done for the preceding 12 months) to provide you with a variety of the Lyft Platform's features and services:

- Personal identifiers, such as your name, address, email address, date of birth, government identification number (such as social security number), driver's license information, vehicle information, and car insurance information;
- Financial information, such as bank routing numbers, tax information, and any other payment information you provide us;

- Commercial information, such as ride information, Driver/Rider statistics and feedback, and Driver/Rider transaction history;
- Internet or other electronic network activity information, such as your IP address, type of browser, version of operating system, carrier and/or manufacturer, device identifiers, and mobile advertising identifiers; and
- Location data.

We disclose those categories of personal information to service providers to fulfill the following business purposes:

- Maintaining and servicing your Lyft account;
- Processing or fulfilling rides;
- Providing you customer service;
- Processing Rider transactions;
- Processing Driver applications and payments;
- Verifying the identity of users;
- Detecting and preventing fraud;
- Processing insurance claims;
- Providing Driver loyalty and promotional programs;
- Providing marketing and advertising services to Lyft;
- Providing financing;
- Providing requested emergency services;
- Providing analytics services to Lyft; and
- Undertaking internal research to develop the Lyft Platform.

## **C. For Legal Reasons and to Protect the Lyft Platform**

We may share your personal information in response to a legal obligation, or if we have determined that sharing your personal information is reasonably necessary or appropriate to:

- Comply with any applicable federal, state, or local law or regulation, civil, criminal or regulatory inquiry, investigation or legal process, or enforceable governmental request;
- Respond to legal process (such as a search warrant, subpoena, summons, or court order);
- Enforce our Terms of Service;
- Cooperate with law enforcement agencies concerning conduct or activity that we reasonably and in good faith believe may violate federal, state, or local law; or
- Exercise or defend legal claims, protect against harm to our rights, property, interests, or safety or the rights, property, interests, or safety of you, third-parties, or the public as required or permitted by law.

## **D. In Connection with Sale or Merger**

We may share your personal information while negotiating or in relation to a change of corporate control such as a restructuring, merger, or sale of our assets.

## **E. Upon Your Further Direction**

With your permission or upon your direction, we may disclose your personal information to interact with a third party or for other purposes.

## **5. How We Store and Protect Your Information**

We retain your information for as long as necessary to provide you and our other users the Lyft Platform. This means we keep your profile information for as long as you maintain an account. We retain transactional information such as rides and payments for at least seven years to ensure we can perform legitimate business functions, such as accounting for tax obligations. If you request account deletion, we will delete your information as set forth in the “Deleting Your Account” section below.

We take reasonable and appropriate measures designed to protect your personal information. But no security measures can be 100% effective, and we cannot guarantee the security of your information, including against unauthorized intrusions or acts by third parties.

## **6. Your Rights And Choices Regarding Your Data**

As explained more below and on our [privacy homepage](#), Lyft provides ways for you to access and delete your personal information as well as exercise other data rights that give you certain control over your personal information.

### **A. All Users**

**Email Subscriptions.** You can always unsubscribe from our commercial or promotional emails by clicking unsubscribe in those messages. We will still send you transactional and relational emails about your use of the Lyft Platform.

**Text Messages.** You can opt out of receiving commercial or promotional text messages by texting the word END to 46080 from the mobile device receiving the messages. You may also opt out of receiving all texts from Lyft (including transactional or relational messages) by texting the word STOPALL to 46080 from the mobile device receiving the messages. Note that opting out of receiving all texts may impact your use of the Lyft Platform. Drivers can also opt out of driver-specific messages by texting STOP in response to a driver SMS. To re-enable texts you can text START in response to an unsubscribe confirmation SMS.

**Push Notifications.** You can opt out of receiving push notifications through your device settings. Please note that opting out of receiving push notifications may impact your use of the Lyft Platform (such as receiving a notification that your ride has arrived).

**Profile Information.** You can review and edit certain account information you have chosen to add to your profile by logging in to your account settings and profile.

**Location Information.** You can prevent your device from sharing location information through your device's system settings. But if you do, this may impact Lyft's ability to provide you our full range of features and services.

**Cookie Tracking.** You can modify your cookie settings on your browser, but if you delete or choose not to accept our cookies, you may be missing out on certain features of the Lyft Platform.

**Do Not Track.** Your browser may offer you a "Do Not Track" option, which allows you to signal to operators of websites and web applications and services that you do not want them to track your online activities. The Lyft Platform does not currently support Do Not Track requests at this time.

**Deleting Your Account.** If you would like to delete your Lyft account, please visit our [privacy homepage](#). In some cases, we will be unable to delete your account, such as if there is an issue with your account related to trust, safety, or fraud. When we delete your account, we may retain certain information for legitimate business purposes or to comply with legal or regulatory obligations. For example, we may retain your information to resolve open insurance claims, or we may be obligated to retain your information as part of an open legal claim. When we retain such data, we do so in ways designed to prevent its use for other purposes.

## B. California Residents

The California Consumer Privacy Act provides some California residents with the additional rights listed below. To exercise these rights see the "Exercising Your California Privacy Rights" section or visit our [privacy homepage](#).

**Right to Know.** You have the right to know and see what data we have collected about you over the past 12 months, including:

- The categories of personal information we have collected about you;
- The categories of sources from which the personal information is collected;
- The business or commercial purpose for collecting your personal information;
- The categories of third parties with whom we have shared your personal information; and
- The specific pieces of personal information we have collected about you.

**Right to Delete.** You have the right to request that we delete the personal information we have collected from you (and direct our service providers to do the same). There are a number of exceptions, however, that include, but are not limited to, when the information is necessary for us or a third party to do any of the following:

- Complete your transaction;
- Provide you a good or service;
- Perform a contract between us and you;
- Protect your security and prosecute those responsible for breaching it;
- Fix our system in the case of a bug;

- Protect the free speech rights of you or other users;
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et seq.);
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interests that adheres to all other applicable ethics and privacy laws;
- Comply with a legal obligation; or
- Make other internal and lawful uses of the information that are compatible with the context in which you provided it.

**Other Rights.** You can request certain information about our disclosure of personal information to third parties for their own direct marketing purposes during the preceding calendar year. This request is free and may be made once a year. You also have the right not to be discriminated against for exercising any of the rights listed above.

**Exercising Your California Privacy Rights.** To request access to or deletion of your personal information, or to exercise any other data rights under California law, please contact us using one of the following methods:

Website: You may visit our [privacy homepage](#) to authenticate and exercise rights via our website.

Email Webform: You may [write to us](#) to exercise rights. Please include your full name, email address, and phone number associated with your use of the Lyft Platform, along with why you are writing, so that we can process your request in an efficient manner.

To respond to some rights we will need to verify your request either by asking you to log in and authenticate your account or otherwise verify your identity by providing information about yourself or your account. Authorized agents can make a request on your behalf if you have given them legal power of attorney or you provide signed permission, verification of your identity, and confirmation that you provided the agent permission to submit the request.

**Response Timing and Format.** We aim to respond to a consumer request for access or deletion within 45 days of receiving that request. If we require more time, we will inform you of the reason and extension period in writing.

## 7. Children's Data

Lyft is not directed to children, and we don't knowingly collect personal information from children under the age of 13. If we find out that a child under 13 has given us personal information, we will take steps to delete that information. If you believe that a child under the age of 13 has given us personal information, please contact us at our [Help Center](#).

## 8. Links to Third Party Websites

The Lyft Platform may contain links to third-party websites. Those websites may have privacy policies that differ from ours. We are not responsible for those websites, and we recommend that you review their policies. Please contact those websites directly if you have any questions about their privacy policies.

## **9. Changes to This Privacy Policy**

We may update this policy from time to time as the Lyft Platform changes and privacy law evolves. If we update it, we will do so online, and if we make material changes, we will let you know through the Lyft Platform or by some other method of communication like email. When you use Lyft, you are agreeing to the most recent terms of this policy.

## **10. Contact Us**

If you have any questions or concerns about your privacy or anything in this policy, including if you need to access this policy in an alternative format, we encourage you to [contact us](#).

# **EXHIBIT D(3)**

[Download the app](#)

# Lyft Privacy Policy

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*Last Updated: February 8, 2017*

At Lyft, we want to connect people through transportation and bring communities together. In this privacy policy, we tell you what information we receive from Lyft riders and drivers, and how we use it to connect riders with drivers and continue to improve our services. Below, we explain how you can share with other riders and drivers in the Lyft community as part of our mission to bring people together.

## 1. Scope of this Privacy Policy

Lyft ("Lyft," "we," "our," and/or "us") values the privacy of individuals who use our application, websites, and related services (collectively, the "Lyft Platform"). This privacy policy (the "Privacy Policy") explains how we collect, use, and share information from Lyft users ("Users"), comprised of both Lyft riders ("Riders") and Lyft drivers (including Driver applicants) ("Drivers"). Beyond the Privacy Policy, your use of Lyft is also subject to our Terms of Service ([www.lyft.com/terms](https://www.lyft.com/terms)).

## 2. Information We Collect

# A. Information You Provide to Us

**Registration Information.** When you sign up for a Lyft account, you give us your name, email address, and phone number. If you decide to sign up for Lyft using your Facebook account, we will also get basic information from your Facebook profile like your name, gender, profile photo, and Facebook friends.

**User Profile Information.** When you join the Lyft community, you can create a Lyft Profile to share fun facts about yourself, and discover mutual friends and interests. Filling out a profile is optional, and you can share as little or as much as you want. Your name (and for Drivers, Profile photos) is always part of your Profile. Read more below about how you can control who sees your Profile. You can also add a Business Profile to your account, which requires a designated business email address and payment method.

**Payment Method.** When you add a credit card or payment method to your Lyft account, a third party that handles payments for us will receive your card information. To keep your financial data secure, we do not store full credit card information on our servers.

**Communications.** If you contact us directly, we may receive additional information about you. For example, when you contact our Customer Support Team, we will receive your name, email address, phone number, the contents of a message or attachments that you may send to us, and other information you choose to provide.

**Driver Application Information.** If you decide to join our Lyft driver community, in addition to the basic registration information we ask you for your date of birth, physical address, Social Security number, driver's license information, vehicle information, car insurance information, and in some jurisdictions we may collect additional business license or permitting information. We share this information with our partners who help us by running background checks on Drivers to help protect the Lyft community.

**Payment Information.** To make sure Drivers get paid, we keep information about Drivers' bank routing numbers, tax information, and

any other payment information provided by Drivers.

## B. Information We Collect When You Use the Lyft Platform

**Location Information.** Lyft is all about connecting Drivers and Riders. To do this, we need to know where you are. When you open Lyft on your mobile device, we receive your location. We may also collect the precise location of your device when the app is running in the foreground or background. If you label certain locations, such as "home" and "work," we receive that information, too.

Your location information is necessary for things like matching Riders with nearby Drivers, determining drop off and pick up locations, and suggesting destinations based on previous trips. Also, if the need ever arises, our Trust & Safety team may use and share location information to help protect the safety of Lyft Users or a member of the public. In addition to the reasons described above, Drivers' location information and distance travelled is necessary for calculating charges and insurance for Lyft rides. If you give us permission through your device settings or Lyft app, we may collect your location while the app is off to identify promotions or service updates in your area.

**Device Information.** Lyft receives information from Users' devices, including IP address, web browser type, mobile operating system version, phone carrier and manufacturer, application installations, device identifiers, mobile advertising identifiers, push notification tokens, and, if you register with your Facebook account, your Facebook identifier. We collect mobile sensor data from Drivers' devices (such as speed, direction, height, acceleration or deceleration) to improve location accuracy and analyze usage patterns.

**Usage Information.** To help us understand how you use the Lyft Platform and to help us improve it, we automatically receive information about your interactions with the Lyft Platform, like the pages or other content you view, your actions within the Lyft app, and the dates and times of your visits.

**Call and Text Information.** We work with a third party partner to facilitate phone calls and text messages between Riders and Drivers who have been connected for a ride. We receive information about these communications including the date and time of the call or SMS message, the parties' phone numbers, and the content of any SMS messages. For security purposes, we may also monitor and/or record the contents of phone calls made on the Lyft Platform, such as those between Riders and Drivers. You will be given notice that your call may be recorded, and by proceeding you agree to allow Lyft to monitor and/or record your call.

**User Feedback.** At Lyft, we want to make sure Users are always enjoying great rides. Riders and Drivers may rate and review each other at the end of every ride. We receive information about ratings and reviews and, as we explain below, give Riders information about Drivers' ratings and reviews and vice versa.

**Address Book Contacts.** If you permit Lyft to access the address book on your device through the permission system used by your mobile platform, we may access and store names and contact information from your address book to facilitate invitations and social interactions that you initiate through our Platform and for other purposes described in this privacy policy or at the time of consent or collection.

**Information from Cookies and Similar Technologies.** We collect information through the use of "cookies", tracking pixels, and similar technologies to understand how you navigate through the Lyft Platform and interact with Lyft advertisements, to learn what content is popular, and to save your preferences. Cookies are small text files that web servers place on your device; they are designed to store basic information and to help websites and apps recognize your browser. We may use both session cookies and persistent cookies. A session cookie disappears after you close your browser. A persistent cookie remains after you close your browser and may be accessed every time you use the Lyft Platform. You should consult your web browser(s) to modify your cookie settings. Please note that if you delete or choose not to accept cookies from us, you may be missing out on certain features of the Lyft Platform.

## C. Information We Collect from Third Parties

**Third Party Services.** If you choose to register for Lyft or otherwise link your Lyft account with a third party's service (such as Facebook), we may receive the same type of information we collect from you (described above) directly from those services.

**Third Party Partners.** We may receive additional information about you, such as demographic data, payment information, or fraud detection information, from third party partners and combine it with other information that we have about you.

**Enterprise Programs.** If your company, university, or organization participates in one of our enterprise programs such as Lyft for Work, we may receive information about you, such as your email address, from your participating organization. We also may give your participating organization the opportunity to request a ride on your behalf, in which case they may provide us with your name, phone number, and the pickup and drop off location for your ride.

**Background Information on Drivers.** Lyft works with third party partners to perform driving record and criminal background checks on Drivers, and we receive information from them such as publicly available information about a Driver's driving record or criminal history.

## 3. How We Use the Information We Collect

We use the information we collect from all Users to:

- Connect Riders with Drivers;
- Provide, improve, expand, and promote the Lyft Platform;
- Analyze how the Lyft community uses the Lyft Platform;
- Communicate with you, either directly or through one of our partners, including for marketing and promotional purposes;
- Personalize the Lyft experience for you and your friends and contacts;

- Send you text messages and push notifications;
- Facilitate transactions and payments;
- Provide you with customer support;
- Find and prevent fraud; and
- Respond to trust and safety issues that may arise, including auto incidents, disputes between Riders and Drivers, and requests from government authorities.

Additionally, we use the information we collect from Drivers for the following purposes related to driving on the Lyft Platform:

- Sending emails and text messages to Drivers who have started the driver application process regarding the status of their application;
- Determining a Driver's eligibility to drive for Lyft
- Notifying Drivers about ride demand, pricing and service updates; and
- Calculating and providing Lyft's auto insurance policy and analyzing usage patterns for safety and insurance purposes.

## 4. How We Share the Information We Collect

### A. Sharing Between Users

**Sharing between Riders and Drivers.** Riders and Drivers that have been matched for a ride are able to see basic information about each other, such as names, photo, ratings, and any information they have added to their Profiles. Riders and Drivers who connect their Lyft accounts to Facebook will also be able to see their mutual Facebook friends during the ride. Drivers see the pick-up location that the Rider has provided. Riders see a Driver's vehicle information and real-time location as the Driver approaches the pick-up location. Riders' ratings of Drivers are shared with Drivers on a weekly basis. We de-identify the ratings and feedback, but we can't rule out that a driver may be able to identify the Rider that provided the rating or feedback.

Although we help Riders and Drivers communicate with one another to arrange a pickup, we do not share your actual phone number or other

contact information with other Users. If you report a lost or found item to us, we will seek to connect you with the relevant Rider or Driver, including sharing actual contact information with your permission.

**Sharing between Lyft Line Riders.** If you use Lyft Line, Riders who have been matched with you will be able to see your name, photo and any information you have added to your Profile. If you connect your Lyft account to Facebook (such as by signing up through Facebook), we may show your mutual friends with other Riders who are also connected via Facebook. During the Lyft Line matching process we may show photos of possible matches to you and other Riders.

## B. Sharing Between Lyft and Third Parties

**API and Integration Partners.** If you connect to the Lyft Platform through an integration with a third party service, we may share information about your use of the Lyft Platform with that third party. We may share your information with our third party partners in order to receive additional information about you. We may also share your information with third party partners to create offers that may be of interest to you.

**Third Party Services.** The Lyft Platform may allow you to connect with other websites, products, or services that we don't have control over (for example, we may give you the ability to order a food delivery from a restaurant from within the Lyft app). If you use these services, we will provide the third party with information about you to allow them to provide the service to you (for example, we would give the restaurant your name, phone number and address to drop off the food). We can't speak to the privacy practices of these third parties, and we encourage you to read their privacy policies before deciding whether to use their services.

**Service Providers.** We work with third party service providers to perform services on our behalf, and we may share your information with such service providers to help us provide the Lyft Platform, including all of the things described in Section 3 above.

**Enterprise Partners.** If you participate in an enterprise program and charge a ride to your organization's billing method or credits, we will provide your organization's account holder with information about your use of the Lyft Platform, including ride details such as date, time, charge, and pick up and drop off locations. If you create a Business Profile, at the end of each ride you will have the option to designate the ride as a business ride. If you do so, and your organization has a corporate account with Lyft, we may share information about your use of Lyft Platform with your organization including ride details such as date, time, charge, and region of the trip. If you change organizations, it is your responsibility to update your Business Profile with the new information. (Please remember to check and set your designation settings accordingly.) If you integrate your account with an expense platform (like Concur) we will share the ride details to your expense account.

**International Partners.** We've partnered with several ride-sharing services around the globe so Riders can continue to find rides when they open the Lyft app abroad, and Drivers can provide services to international travelers in the U.S. When we match a ride with the partner, we share the same information that is shared between matched Riders and Drivers on the Lyft Platform. In some cases we are unable to mask your phone number if you call an international driver, so please keep that in mind before using this feature.

**Other Sharing.** We may share your information with third parties in the following cases:

- While negotiating or in relation to a change of corporate control such as a restructuring, merger or sale of our assets;
- If a government authority requests information and we think disclosure is required or appropriate in order to comply with laws, regulations, or a legal process;
- With law enforcement officials, government authorities, or third parties if we think doing so is necessary to protect the rights, property, or safety of the Lyft community, Lyft, or the public (you can read more about this in our [Law Enforcement Request](#) policy);
- To comply with a legal requirement or process, including but not limited to, civil and criminal subpoenas, court orders or other compulsory disclosures.

- If you signed up for a promotion with another User's referral or promotion code, with your referrer to let them know about your redemption of or qualification for the promotion;
- With our insurance partners to help determine and provide relevant coverage in the event of an incident;
- To provide information about the use of the Lyft Platform to potential business partners in aggregated or de-identified form that can't reasonably be used to identify you; and
- Whenever you consent to the sharing.

## 5. Your Choices

**Email Subscriptions.** You can always unsubscribe from our commercial or promotional emails but we will still send you transactional and relational emails about your account use of the Lyft Platform.

**Text Messages.** You can opt out of receiving commercial or promotional text messages by texting the word END to 46080 from the mobile device receiving the messages. You may also opt out of receiving all texts from Lyft (including transactional or relational messages) by texting the word STOPALL to 46080 from the mobile device receiving the messages, however, opting out of receiving all texts may impact your use of the Lyft Platform. Drivers can also opt out of driver-specific messages by texting STOP in response to a driver SMS. To re-enable texts you can text START in response to an unsubscribe confirmation SMS.

**Push Notifications.** You can opt out of receiving push notifications through your device settings. Please note that opting out of receiving push notifications may impact your use of the Lyft Platform (such as receiving a notification that your ride has arrived).

**Profile Information.** While your name will always be shared with Drivers and fellow Lyft Line Riders, you can delete any additional information that you added to your Profile at any time if you don't want Drivers and Lyft Line Riders to see it. Riders will always be able to see Drivers' names, rating, profile photos, and vehicle information.

**Location Information.** While you can prevent your device from sharing location information at any time through your Device's operating

system settings, Rider and Driver location is core to the Lyft Platform and without it we can't provide our services to you.

**Facebook Friends.** You can control whether to enable or disable the Facebook mutual friends feature through your profile settings.

**Editing and Accessing Your Information.** You can review and edit certain account information by logging in to your account settings and profile (Drivers may edit additional information through the Driver portal). If you would like to terminate your Lyft account, please contact us through our [Help Center](#) with your request. If you choose to terminate your account, we will deactivate it for you but may retain information from your account for a certain period of time and disclose it in a manner consistent with our practices under this Privacy Policy for accounts that are not closed. We also may retain information from your account to collect any fees owed, resolve disputes, troubleshoot problems, analyze usage of the Lyft Platform, assist with any investigations, prevent fraud, enforce our Terms of Service, or take other actions as required or permitted by law.

## 6. Other

**Data Security.** We are committed to protecting the data of the Lyft community. Even though we take reasonable precautions to protect your data, no security measures can be 100% secure, and we cannot guarantee the security of your data.

**Children's Privacy.** Lyft is not directed to children, and we don't knowingly collect personal information from children under 13. If we find out that a child under 13 has given us personal information, we will take steps to delete that information. If you believe that a child under the age of 13 has given us personal information, please contact us at our [Help Center](#).

**Changes to Our Privacy Policy.** We may make changes to this Privacy Policy from time to time. If we make any material changes, we will let you know through the Lyft Platform, by email, or other communication. We encourage you to read this Privacy Policy periodically to stay up-to-date about our privacy practices. As long as you use the Lyft Platform, you are agreeing to this Privacy Policy and any updates we make to it.

**Contact Information.** Feel free to contact us at any time with any questions or comments about this Privacy Policy, your personal information, our use and sharing practices, or your consent choices by contacting our [Help Center](#).

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